OFFICE OF THE
CENTRAL PUBLIC INFORMATION OFFICER
[DCIT (HQ)(ADMIN.)]
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F.No.PCCIT-GUJ/DC(HQ)(Admn.)/91/Vol.I/ASY/2023-24 **Date** – 12-02-2024

NAME	:	Shri Abhimanyu Singh Yadav
ADDRESS	:	Room No: 113, Aayakar Bhavan, Race Course, Ring Road, Rajkot -360001
DATE OF RECEIPT	:	18-01-2024
DATE OF ORDER	:	12-02-2024

ORDER UNDER SECTION 7(1) OF THE RTI ACT, 2005

The applicant, Shri Abhimanyu Singh Yadav vide RTI application bearing registration No. CCITA/R/E/24/00012 dated 17-01-2024 has sought information under the Right to Information Act, 2005. The application has been forwarded by ITO(HQ)(Coordination) & Nodal Officer, O/o. the Pr. CCIT, Gujarat vide letter bearing F. No. Pr. CCIT/Guj/ ITO(HQ)(Coord.)/RTI-ASY /2023-24 which has been received in this office on 18-01-2024.

2. The details sought by the applicant and the information provided in this regard are as under :-

Information sought	Information provided
(i) Is there any guideline exist on record with office of Pr. Chief Commissioner of Income-tax issued by Government of India that where the authencity of electronic record is challenged and a demand of certificate u/s. 65B(4) of Indian Evidence Act, 1872 is raised, how such cases are handled and who will issue certificate u/s. 65B(4).	(i) The provisions of section 65B(4) of Indian Evidence Act, 1872 is applicable for all Central/State Government departments and necessary guidelines in this regard is available at the concered repository/portal of the concerned department. The procedure of issuing certificate u/s. 65B(4) of Indian Evidence Act, 1872 is routinely followed by the Investigation Wing during the course of search/survey action as the sanctity of the electronic data is laible to be questioned before the court of law.
(ii) In the case of APAR representation of Abhimanyu Singh Yadav, Addl.CIT for the period of 22/11/2022 to 31/03/2023, the APAR is an electronic record only, whether any certificate u/s. 65B(4) exist as on date when the same was finalized after deciding the representation, which make it an admissible record and documentary evidence at time of adjudication of representation and for future use, if it exists, please provide the copy of the same.	(ii) The SPARROW portal is an online system not only for submitting the performance appraisal by the officer but also for reporting officer and reviewing officer to base their comments in the portal on the officer reported upon. This online system is managed by National Informatics Centre (NIC) which is under the control of the Government of India. Therefore, the authenticity of the documents generated through SPARROW portal cannot be doubted.

3. Accordingly, the present application is disposed off as above.

4. In case the applicant is not satisfied with this order, he may file an appeal against this order, within 30 days of its receipt, before the Appellate Authority i.e.

Addl. Commissioner of Income – tax (HQ) (Admin.)
2nd floor, Aayakar Bhavan,
Ashram Road, Ahmedabad – 380 009.

(Shashank Sheohare)
DCIT(HQ)(Admin.) & CPIO
O/o. Pr. Chief Commissioner of Income–tax, Gujarat
Ahmedabad.

Copy to :

1. Shri Abhimanyu Singh Yadav, Room No. 113. Aaykar Bhavan, Race Course, Ring Road, Rajkot-360001 Email : abhimanyu.singhyadav@gmail.com
2. The ITO(HQ)(Coord.)O/o Pr.CCIT, Gujarat for information w.r.t. letter bearing No. Pr.CCIT/Guj/ITO(HQ)(Coord.)/RTI-ASY/2023-24 dated 18-01-2023

(Shashank Sheohare)
DCIT(HQ)(Admin.) & CPIO
O/o. Pr. Chief Commissioner of Income–tax, Gujarat
Ahmedabad